

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

<b>IN RE: BUDEPRION XL</b>	:	
<b>MARKETING &amp; SALES LITIGATION</b>	:	<b>MDL No. 2107</b>
	:	

---

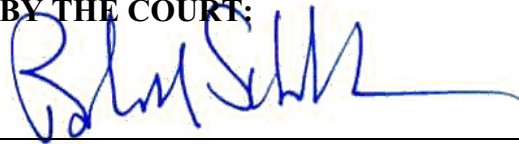
<b>THIS DOCUMENT APPLIES TO:</b>	:	
<b>ALL ACTIONS</b>	:	<b>09-md-2107</b>
	:	

---

**ORDER**

**AND NOW**, this 26<sup>th</sup> day of **May, 2010**, upon consideration of Defendants' Motion to Dismiss, Plaintiffs' response thereto, Defendants' reply thereon, following oral argument held on May 12, 2010, and for the reasons given in this Court's Memorandum dated May 26, 2010, it is hereby **ORDERED** that Defendants' Motion to Dismiss (Document No. 28) is **DENIED**.

**BY THE COURT:**



---

**Berle M. Schiller, J.**